

ALLEN & OVERY

BY ECF AND EMAIL

The Honorable Richard J. Sullivan
United States District Court
Southern District of New York
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October 15, 2015

**Re: Gucci America, Inc., et al. v. Weixing Li, et al.,
No. 10 Civ. 4974 (RJS)**

Dear Judge Sullivan:

We write on behalf of non-party Bank of China (“BOC”) in response to plaintiffs’ (collectively “Gucci”) letter of today’s date. This letter is filed subject to and without waiver of BOC’s jurisdictional objections.

As we advised Gucci’s counsel on October 9 and 13, 2015, and again today, the Court’s Opinion and Order dated September 29, 2015 (the “Order”) was filed on the eve of a week-long public holiday in China, which delayed BOC’s ability to confer with the relevant internal decision-makers, with its counsel, and with its domestic regulators. The holiday ended and BOC reopened on October 8, since when BOC has been diligently working to evaluate how it should respond to its conflicting obligations. That work is ongoing, and BOC is awaiting the instructions of its domestic regulators.

Given the importance and difficulty of the decision that BOC must now make, we requested that Gucci not ask the Court to set a date for BOC’s compliance with the Order that would be earlier than October 29, 2015. Gucci has rejected that request. Subject to its jurisdictional objections, BOC respectfully requests that the Court allow BOC that relatively brief period of time to complete its decision-making process.

Respectfully submitted,

/s/ Andrew Rhys Davies

Andrew Rhys Davies

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